

General Assembly

Raised Bill No. 175

February Session, 2016

LCO No. 1286



Referred to Committee on EDUCATION

Introduced by: (ED)

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AN ACT CONCERNING RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- Section 1. Section 10-5 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):
 - (a) The Commissioner of Education shall, in accordance with this section, issue a state high school diploma to any person (1) who successfully completes an examination approved by the commissioner, or (2) who (A) is seventeen years of age and has been officially withdrawn from school in accordance with the provisions of section 10-184 or is eighteen years of age or older, and (B) presents to the commissioner evidence demonstrating educational qualifications which the commissioner deems equivalent to those required for graduation from a public high school. Application for such a diploma shall be made in the manner and form prescribed by the commissioner provided, at the time of application to take the examination described in subdivision (1) of this subsection, the applicant is seventeen years of age or older, has been officially withdrawn from school, in accordance

LCO No. 1286 **1** of 16

with section 10-184, for at least six months and has been advised, in such manner as may be prescribed by the commissioner, of the other options for high school completion and other available educational programs. For good cause shown, the commissioner may allow a person who is sixteen years of age to apply to take the examination, provided the commissioner may not issue a state high school diploma to such person until the person has attained seventeen years of age.

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- (b) Application to take or retake the examination described in subdivision (1) of subsection (a) of this section shall be accompanied by a money order or certified check in the nonrefundable amount of thirteen dollars. This amount shall include the fee for the state high school diploma.
- (c) No veteran, member of the armed forces, as defined in section 27-103, or any person under twenty-one years of age shall be required to pay the fees described in subsection (b) of this section. The commissioner may waive any fee described in subsection (b) upon the submission of evidence indicating an inability to pay.
 - (d) The Commissioner of Education shall keep a correct account of all money received under the provisions of this section and shall deposit with the State Treasurer all such money received by said commissioner. Funds paid to a local or regional board of education under this section shall be deposited in the school activity fund established under section 10-237 and expended to defray the costs of such testing and related administration and information.
- 40 (e) The commissioner shall establish criteria by which an "honors 41 diploma" may be issued for exemplary performance on the 42 examination.
- 43 (f) Not later than September 1, 2017, the State Board of Education 44 shall establish criteria by which a local or regional board of education 45 may affix the Connecticut State Seal of Biliteracy on a diploma 46 awarded to a student who has achieved a high level of proficiency in

LCO No. 1286 **2** of 16

- 47 one or more foreign languages. For purposes of this subsection,
- 48 "foreign language" means a world language other than English and
- 49 includes American Sign Language and any language spoken by a
- 50 <u>federally recognized Native American tribe.</u>
- 51 Sec. 2. Section 10-221a of the 2016 supplement to the general statutes
- is amended by adding subsection (k) as follows (Effective July 1, 2016):
- 53 (NEW) (k) Commencing with classes graduating in 2018, and for
- each graduating class thereafter, a local or regional board of education
- 55 may affix the Connecticut State Seal of Biliteracy, as described in
- subsection (f) of section 10-5, as amended by this act, to a diploma
- 57 awarded to a student who has achieved a high level of proficiency in
- one or more foreign languages, as defined in said subsection (f). The
- 59 local or regional board of education shall include on such student's
- transcript a designation that the student received the Connecticut State
- 61 Seal of Biliteracy.
- 62 Sec. 3. Subsection (e) of section 10-262j of the 2016 supplement to the
- 63 general statutes is repealed and the following is substituted in lieu
- 64 thereof (*Effective from passage*):
- (e) For the fiscal years ending June 30, 2016, and June 30, 2017, the
- provisions of this section shall not apply to any district that is (1) in the
- 67 top ten per cent of school districts based on the [district performance]
- 68 <u>accountability</u> index, as defined in section 10-262u, as amended by this
- 69 act, and (2) classified as a category one district, as defined in section
- 70 10-223e, as amended by this act.
- 71 Sec. 4. Subsections (a) and (b) of section 10-223e of the 2016
- 72 supplement to the general statutes are repealed and the following is
- substituted in lieu thereof (*Effective from passage*):
- 74 (a) As used in this section:
- 75 (1) "Accountability index" means the score resulting from multiple

LCO No. 1286 3 of 16

- 76 student, school or district-level measures, as weighted by the
- 77 Department of Education, that (A) shall include the performance index
- 78 score and high school graduation rates, and (B) may include, but need
- 79 not be limited to, academic growth over time, attendance and chronic
- 80 absenteeism, postsecondary education and career readiness,
- 81 enrollment in and graduation from institutions of higher education
- 82 and postsecondary education programs, civics and arts education and
- 83 physical fitness.
- 84 (2) "Performance index" means the score, as calculated by the
- 85 Department of Education using the mastery test data of record,
- 86 assigned to student subgroups, schools or districts.
- 87 (3) "Mastery test data of record" has the same meaning as provided
- 88 in section 10-262f.
- 89 (4) "Category five schools" means schools with the lowest
- 90 performance as indicated by factors set forth in the state-wide
- 91 performance management and support plan, prepared pursuant to
- 92 subsection (b) of this section, that may include, but are not limited to,
- 93 the accountability index.
- 94 (5) "Category four schools" means schools with the lowest
- 95 performance other than category five schools as indicated by factors
- 96 set forth in the state-wide performance management and support plan,
- 97 prepared pursuant to subsection (b) of this section, that may include,
- 98 but are not limited to, the accountability index.
- 99 (6) "Category three schools" means schools with higher performance
- 100 than category four and five schools, but lower performance than
- 101 category one and two schools as indicated by factors set forth in the
- 102 state-wide performance management and support plan, prepared
- pursuant to subsection (b) of this section, that may include, but are not
- limited to, the accountability index.
- 105 (7) "Category two schools" means schools that have higher

LCO No. 1286 **4** of 16

performance than category three, category four and category five schools, but lower performance than category one schools as indicated by factors set forth in the state-wide performance management and support plan, prepared pursuant to subsection (b) of this section, that may include, but are not limited to, the accountability index.

- 111 (8) "Category one schools" means schools that have the highest 112 performance as indicated by factors set forth in the state-wide 113 performance management and support plan, prepared pursuant to 114 subsection (b) of this section, that may include, but are not limited to, 115 the accountability index.
- 116 (9) "Category five districts" means districts with the lowest
 117 performance as indicated by factors set forth in the state-wide
 118 performance management and support plan, prepared pursuant to
 119 subsection (b) of this section, that may include, but are not limited to,
 120 the accountability index.

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- (10) "Category four districts" means districts with the lowest performance other than category five districts as indicated by factors set forth in the state-wide performance management and support plan, prepared pursuant to subsection (b) of this section, that may include, but are not limited to, the accountability index.
- 126 (11) "Category three districts" means districts with higher
 127 performance than category four and five districts, but lower
 128 performance than category one and two districts as indicated by
 129 factors set forth in the state-wide performance management and
 130 support plan, prepared pursuant to subsection (b) of this section, that
 131 may include, but are not limited to, the accountability index.
 - (12) "Category two districts" means districts that have higher performance than category three, category four and category five districts, but lower performance than category one districts as indicated by factors set forth in the state-wide performance management and support plan, prepared pursuant to subsection (b) of

LCO No. 1286 5 of 16

- this section, that may include, but are not limited to, the accountability
- 138 index.
- 139 (13) "Category one districts" means districts that have the highest
- 140 performance as indicated by factors set forth in the state-wide
- 141 performance management and support plan, prepared pursuant to
- subsection (b) of this section, that may include, but are not limited to,
- the accountability index.
- [(9)] (14) "Focus school" has the same meaning as "focus school" as
- 145 described in the United States Department of Education's ESEA
- 146 Flexibility policy document, updated June 7, 2012.
- (b) (1) For the school years commencing July 1, 2002, to July 1, 2011,
- inclusive, in conformance with the No Child Left Behind Act, P.L. 107-
- 149 110, the Commissioner of Education shall prepare a state-wide
- 150 education accountability plan, consistent with federal law and
- regulation. Such plan shall identify the schools and districts in need of
- 152 improvement, require the development and implementation of
- improvement plans and utilize rewards and consequences.
- 154 (2) For the school years commencing July 1, 2012, to July 1, 2014,
- inclusive, the Department of Education shall prepare a state-wide
- 156 performance management and support plan, consistent with federal
- law and regulation. Such plan shall (A) identify districts in need of
- improvement, (B) classify schools as category one, two, three, four or
- 159 five schools based on their school performance index and other factors,
- and (C) identify focus schools.
- 161 (3) For the school year commencing July 1, 2015, and each school
- 162 year thereafter, the Department of Education shall prepare a state-wide
- 163 performance management and support plan, consistent with federal
- law and regulation. Such plan shall (A) identify districts in need of
- improvement, (B) classify schools as category one, two, three, four or
- five schools, [based on the accountability index,] (C) classify districts as
- 167 category one, two, three, four or five districts, and [(C)] (D) identify

LCO No. 1286 **6** of 16

- 168 focus schools.
- Sec. 5. Section 10-146c of the 2016 supplement to the general statutes
- is repealed and the following is substituted in lieu thereof (*Effective July*
- 171 1, 2016):
- 172 (a) As used in this section:
- (1) "State" means a state of the United States, the District of
- 174 Columbia, the Commonwealth of Puerto Rico or territories or
- possessions of the United States; and
- 176 (2) "Educator preparation program" means a program designed to
- 177 qualify an individual for professional certification as an educator
- 178 provided by institutions of higher education or other providers,
- 179 including, but not limited to, an alternate route to certification
- 180 program.
- 181 (b) The Commissioner of Education, or the commissioner's designee,
- as agent for the state shall establish or join interstate agreements with
- 183 <u>other states</u> to facilitate the certification of qualified educators from
- other states. [, territories or possessions of the United States, or the
- District of Columbia or the Commonwealth of Puerto Rico, provided]
- 186 Any such interstate agreement shall include provisions requiring
- candidates for certification <u>to</u>, at a minimum, <u>(1)</u> hold a bachelor's
- degree from a regionally accredited college or university, (2) have
- 189 fulfilled post preparation assessments as approved by the
- commissioner, [have taught under an appropriate certificate issued by
- another state, territory or possession of the United States or the District
- 192 of Columbia or the Commonwealth of Puerto Rico and meet all
- conditions as mandated by such interstate agreement] <u>and (3) have</u>
- 194 <u>successfully completed an approved educator preparation program.</u>
- Notwithstanding the provisions of sections 10-145b and 10-145f, the
- 196 State Board of Education shall issue [an initial educator] the
- 197 <u>appropriate professional</u> certificate to any [person] <u>applicant</u>, based on
- 198 <u>such applicant's qualifications</u>, who satisfies the requirements of [this

LCO No. 1286 **7** of 16

- 199 section and] the appropriate interstate agreement.
- 200 (c) If the commissioner is unable to establish or join an interstate 201 agreement with another state, the commissioner may create and make
- available a recognition statement that specifies the states, assessments
- 203 and educator preparation programs that the commissioner will
- 204 recognize for purposes of issuing professional certification under
- 205 sections 10-145b and 10-145f.

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- Sec. 6. Section 10-145h of the general statutes is repealed and the
- following is substituted in lieu thereof (*Effective July 1, 2016*):
- 208 (a) On and after July 1, 2015, the State Board of Education shall 209 require an applicant for certification as a bilingual education teacher to 210 demonstrate written and oral competency in English and [written and 211 oral competency] in the other language of instruction as a condition of 212 certification, except that an applicant shall not be required to 213 demonstrate oral competency in the applicant's native language. 214 Written competency in English shall be demonstrated by successful 215 passage of the essential skills test approved by the State Board of 216 Education. Written competency in the other language shall be 217 demonstrated on an examination, if available, of comparable difficulty 218 as specified by the Department of Education. If such an examination is 219 not available, competency shall be demonstrated by an appropriate 220 alternative method as specified by the department. Oral competency
- 223 (b) On and after July 1, 2015, the State Board of Education shall require persons seeking to become (1) elementary level bilingual education teachers to meet coursework requirements in elementary education and bilingual education, and (2) secondary level bilingual education teachers to meet coursework requirements in both the subject area they will teach and in bilingual education. The State Board

method specified by the Department of Education.

[in the other language] shall be demonstrated by an appropriate

subject area they will teach and in bilingual education. The State Board

229 of Education may issue an endorsement in bilingual education to an

LCO No. 1286 8 of 16

- 230 applicant who has (A) completed coursework requirements in (i)
- 231 elementary education and bilingual education, or (ii) the subject area
- 232 they will teach and bilingual education, and (B) successful passage of
- 233 examination requirements for bilingual education, as approved by the
- 234 State Board of Education.
- 235 (c) On and after July 1, 2000, the State Board of Education shall 236 require bilingual education teachers holding provisional educator 237 certificates to meet the requirements of this subsection in order to 238 qualify for a professional educator certificate to teach bilingual 239 education. (1) Such bilingual education teachers who teach on the 240 elementary level shall take fifteen credit hours in bilingual education 241 and fifteen credit hours in language arts, reading and mathematics. (2) 242 Such bilingual education teachers who teach on the middle or 243 secondary level shall take fifteen credit hours in bilingual education 244 and fifteen credit hours in the subject matter that they teach. Such 245 professional educator certificate shall be valid for bilingual education 246 and the grade level and content area of preparation.
- (d) Certification in elementary bilingual education shall be valid for
 grades kindergarten to eight, inclusive.
- Sec. 7. Subsection (h) of section 10-262u of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):
- 252 (h) [Any balance remaining for each local or regional board of 253 education at the end of any fiscal year shall be carried forward for such 254 local or regional board of education for the next fiscal year] For the 255 fiscal year ending June 30, 2017, and each fiscal year thereafter, a local 256 or regional board of education may carry forward up to three per cent 257 of the funds paid to such board under this section into the next fiscal 258 year for use in accordance with the plan approved pursuant to 259 subsection (d) of this section and the provisions of subsection (c) of 260 section 10-262i.

LCO No. 1286 9 of 16

Sec. 8. (NEW) (Effective July 1, 2016) For the fiscal year ending June 30, 2017, the Department of Education shall administer a parent university program to provide grants to educational reform districts, as defined in section 10-262u of the general statutes, as amended by this act, selected by the Commissioner of Education, for the establishment of a parent university. Each parent university established under this section shall provide district-wide educational opportunities for parents and educational opportunities for parents of students enrolled in certain schools and who reside in certain neighborhoods. The local or regional board of education for an educational reform district or a nonprofit organization partnering with such board of education may apply to the commissioner for a grant under this section at such time and in such manner as the commissioner prescribes. The department may accept private donations for purposes of the parent university program, provided such donations do not limit the scope of parent university program grants pursuant to this section.

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Sec. 9. (*Effective from passage*) (a) Notwithstanding the provisions of section 19 of public act 15-1 of the June special session, grants-in-aid for capital start-up costs paid to the Capitol Region Education Council, in accordance with subdivision (1) of subsection (i) of section 13 of public act 15-1 of the June special session and used pursuant to said subsection (i), shall not be subject to lien or repayment.

(b) Notwithstanding the provisions of section 38 of public act 15-1 of the June special session, grants-in-aid for capital start-up costs paid to the Capitol Region Education Council, in accordance with subdivision (1) of subsection (k) of section 32 of public act 15-1 of the June special session and used pursuant to said subsection (k), shall not be subject to lien or repayment.

Sec. 10. Subsections (f) and (g) of section 10-266p of the 2016 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

LCO No. 1286 **10** of 16

(f) In addition to the amounts allocated in subsection (a), and subsections (c) to (e), inclusive, of this section, for the fiscal year ending June 30, 2006, the State Board of Education shall allocate two million thirty-nine thousand six hundred eighty-six dollars to the towns that rank one to three, inclusive, in population pursuant to subdivision (1) of said subsection (a), and for the fiscal [years] year ending June 30, 2007, [to June 30, 2015] and each fiscal year thereafter, the State Board of Education shall allocate two million six hundred ten thousand seven hundred ninety-eight dollars to the towns that rank one to three, inclusive, in population pursuant to subdivision (1) of said subsection (a).

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(g) In addition to the amounts allocated in subsection (a) and subsections (c) to (f), inclusive, of this section, for [the fiscal year ending June 30, 2012, the State Board of Education shall allocate three million two hundred sixteen thousand nine hundred eight dollars as follows: Each priority school district shall receive an allocation based on the ratio of the amount it is eligible to receive pursuant to subsection (a) and subsections (c) to (f), inclusive, of this section to the total amount all priority school districts are eligible to receive pursuant to said subsection (a) and said subsections (c) to (f), inclusive. For the fiscal year ending June 30, 2014, the State Board of Education shall allocate two million nine hundred twenty-five thousand four hundred eighty-one dollars as follows: Each priority school district shall receive an allocation based on the ratio of the amount it is eligible to receive pursuant to subsection (a) of this section and subsections (c) to (f), inclusive, of this section to the total amount all priority school districts are eligible to receive pursuant to subsection (a) of this section and subsections (c) to (f), inclusive, of this section. For] the fiscal year ending June 30, 2015, and each fiscal year thereafter, the State Board of Education shall allocate two million eight hundred eighty-two thousand three hundred sixty-eight dollars as follows: Each priority school district shall receive an allocation based on the ratio of the amount it is eligible to receive pursuant to subsection (a) of this section

LCO No. 1286 11 of 16

- and subsections (c) to (f), inclusive, of this section to the total amount
- 327 all priority school districts are eligible to receive pursuant to
- 328 subsection (a) of this section and subsections (c) to (f), inclusive, of this
- section. For the fiscal year ending June 30, [2014] 2016, a priority school
- district may carry forward any unexpended funds allocated after May
- 331 1, [2014] 2016, pursuant to this subsection, into the fiscal year ending
- 332 June 30, [2015] <u>2017</u>.
- Sec. 11. Subsection (i) of section 10-266p of the 2016 supplement to
- 334 the general statutes is repealed and the following is substituted in lieu
- 335 thereof (*Effective from passage*):
- 336 (i) In addition to the amounts allocated in subsection (a) and
- 337 subsections (c) to (h), inclusive, of this section, for the fiscal year
- ending June 30, 2008, and each fiscal year thereafter, the State Board of
- 339 Education shall allocate two million twenty thousand dollars to the
- 340 town ranked sixth when all towns are ranked from highest to lowest in
- 341 population, based on the most recent federal decennial census, except
- 342 that for the fiscal year ending June 30, 2015, the State Board of
- 343 Education shall allocate two million two hundred seventy thousand
- 344 [seventy] dollars to said town.
- Sec. 12. Subdivision (4) of subsection (a) of section 10-264i of the
- 346 general statutes is repealed and the following is substituted in lieu
- 347 thereof (*Effective from passage*):
- 348 (4) In addition to the grants otherwise provided pursuant to this
- 349 section, the Commissioner of Education may provide supplemental
- 350 transportation grants to regional educational service centers for the
- 351 purposes of transportation to interdistrict magnet schools. Any such
- 352 grant shall be provided within available appropriations and after the
- 353 commissioner has reviewed and approved the total interdistrict
- 354 magnet school transportation budget for a regional educational service
- 355 center, including all revenue and expenditure estimates. [For the fiscal
- year ending June 30, 2010, in addition to the grants otherwise provided

LCO No. 1286 12 of 16

pursuant to this section, the Commissioner of Education, with the approval of the Secretary of the Office of Policy and Management, may provide supplemental transportation grants to the Hartford school district and the Capitol Region Education Council for the purposes of transportation of students who are not residents of Hartford to interdistrict magnet schools operated by the Capitol Region Education Council or the Hartford school district. For the fiscal year ending June 30, 2012, in addition to the grants otherwise provided pursuant to this section, the Commissioner of Education may provide supplemental transportation grants to regional educational service centers for the purposes of transportation to interdistrict magnet schools that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. Any such grant shall be provided within available appropriations and upon a comprehensive financial review of all transportation activities as prescribed by the commissioner. The commissioner may require the regional educational service center to provide an independent financial review, by an auditor selected by the Commissioner of Education, the costs of which may be paid from funds that are part of the supplemental transportation grant. Any such grant shall be paid as follows: Up to fifty per cent of the grant on or before June 30, 2012, and the balance on or before September 1, 2012, upon completion of the comprehensive financial review. For the fiscal years ending June 30, 2013, to June 30, 2015, inclusive, in addition to the grants otherwise provided pursuant to this section, the Commissioner of Education may provide supplemental transportation to interdistrict magnet schools that assist the state in meeting the goals of the 2008 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, or the goals of the 2013 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al. and for transportation provided by EASTCONN to interdistrict magnet schools. Any such grant shall be provided within available appropriations and upon a comprehensive financial review, by an auditor selected by the Commissioner of Education, the costs of such review may be paid from funds that are part of the supplemental

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LCO No. 1286 13 of 16

391 transportation grant. Any such grant shall be paid as follows: For the 392 fiscal year ending June 30, 2013, up to fifty per cent of the grant on or 393 before June 30, 2013, and the balance on or before September 1, 2013, 394 upon completion of the comprehensive financial review; for the fiscal 395 year ending June 30, 2014, up to fifty per cent of the grant on or before 396 June 30, 2014, and the balance on or before September 1, 2014, upon 397 completion of the comprehensive financial review; and for the fiscal 398 year ending June 30, 2015, up to fifty per cent of the grant on or before 399 June 30, 2015, and the balance on or before September 1, 2015, upon 400 completion of the comprehensive financial review] For the fiscal years 401 ending June 30, 2016, and June 30, 2017, in addition to the grants 402 otherwise provided pursuant to this section, the Commissioner of 403 Education may provide supplemental transportation to the Capitol 404 Region Education Council for the purposes of transportation of 405 students to interdistrict magnet schools that assist the state in meeting 406 the goals of the 2008 stipulation and order for Milo Sheff, et al. v. 407 William A. O'Neill, et al., as extended, or the goals of the 2013 408 stipulation and order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended. Any such grant shall be provided within available 409 410 appropriations and upon a comprehensive financial review, by an 411 auditor selected by the Commissioner of Education, the costs of such 412 review may be paid from funds that are part of the supplemental 413 transportation grant. Any such grant shall be paid in the subsequent 414 fiscal year, upon completion of the comprehensive financial review.

Sec. 13. Subdivision (2) of subsection (d) of section 10-264*l* of the 2016 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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(2) For the fiscal year ending June 30, 2016, and each fiscal year thereafter, grants made pursuant to subparagraph (E) of subdivision (3) of subsection (c) of this section shall be paid as follows: Fifty per cent of the amount not later than September first based on estimated student enrollment for the first semester on [September] August first, and another fifty per cent not later than May first of each fiscal year

LCO No. 1286 **14** of 16

based on actual student enrollment for the second semester on February first. The May first payment shall be adjusted to reflect actual interdistrict magnet school program enrollment for those students who have been enrolled at such school for at least two semesters of the school year, using the data of record, and actual student enrollment for those students who have been enrolled at such school for only one semester, using data of record. The May first payment shall be further adjusted for the difference between the total grant received by the magnet school operator in the prior fiscal year and the revised total grant amount calculated for the prior fiscal year where the financial audit submitted by the interdistrict magnet school operator pursuant to subdivision (1) of subsection (n) of this section indicates an overpayment by the department.

| This act shall take effect as follows and shall amend the following sections: | | |
|-------------------------------------------------------------------------------|--------------|--------------------|
| Section 1 | July 1, 2016 | 10-5 |
| Sec. 2 | July 1, 2016 | 10-221a |
| Sec. 3 | from passage | 10-262j(e) |
| Sec. 4 | from passage | 10-223e(a) and (b) |
| Sec. 5 | July 1, 2016 | 10-146c |
| Sec. 6 | July 1, 2016 | 10-145h |
| Sec. 7 | July 1, 2016 | 10-262u(h) |
| Sec. 8 | July 1, 2016 | New section |
| Sec. 9 | from passage | New section |
| Sec. 10 | from passage | 10-266p(f) and (g) |
| Sec. 11 | from passage | 10-266p(i) |
| Sec. 12 | from passage | 10-264i(a)(4) |
| Sec. 13 | July 1, 2016 | 10-264l(d)(2) |

Statement of Purpose:

To authorize boards of education to affix the Connecticut State Seal of Biliteracy to diplomas; to make revisions to the exemption from the minimum budget requirement, requirements for interstate agreements relating to educator certification, qualifications for bilingual educator certification and the carry forward provision of the alliance district

LCO No. 1286 15 of 16

grant program; to establish a parent university program; and to make revisions to certain grant programs.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

LCO No. 1286 **16** of 16